

SEBASTIAN RUCCI,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:03CV0987 HEA
	)	
MISSOURI BOARD FOR	)	
ARCHITECTS, PROFESSIONAL	)	
ENGINEERS, PROFESSIONAL	)	
LAND SURVEYORS AND	)	
LANDSCAPE ARCHITECTS	)	
	)	
Defendant,	)	

This matter is before the Court on Defendant Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects’ (the Board) Motion to Dismiss pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, [Doc. # 39]. Plaintiff has filed an opposition to the motion. For the reasons set forth below, Defendant’s Motion to Dismiss is granted.

Leave was given, pursuant to the Opinion, to amend the Complaint to add the individual members of the Board as defendants. Plaintiff has now done so, but, the

Complaint continues to name the Board as a defendant. In light of the Eighth Circuit's conclusion that the suit against the Board is barred by the Eleventh Amendment, plaintiff cannot continue to maintain this action against it.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects' Motion to Dismiss, [# 39], is granted and the Board is dismissed from this action.

Dated this 15th day of August, 2005.

A handwritten signature in cursive script, reading "Henry Edward Autrey", with a long horizontal flourish extending to the right.

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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE